

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: <u>6/4/2025</u>
--

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EDERY HERRERA, on behalf of himself and all other
persons similarly situated,

Plaintiff,

-against-

PRIME HYDRATION LLC,

Defendant.

1:25-cv-02249-MKV

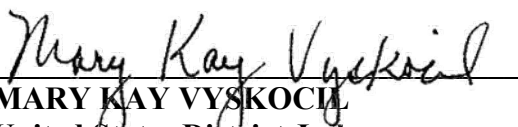
ORDER OF DISMISSAL

MARY KAY VYSKOCIL, United States District Judge:

The Court is in receipt of a letter from the parties stating that they have reached a settlement in principle [ECF No. 10]. Accordingly, IT IS HEREBY ORDERED that the above-captioned action is discontinued without costs to any party and without prejudice to restoring the action to this Court's calendar if the parties are unable to memorialize their settlement in writing and if the application to restore the action is made by July 3, 2025. If no such application is made by that date, today's dismissal of the action is with prejudice. *See Muze, Inc. v. Digital On Demand, Inc.*, 356 F.3d 492, 494 n.1 (2d Cir. 2004). All other dates and deadlines, including the upcoming June 10, 2025 Initial Pretrial Conference are adjourned *sine die*.

SO ORDERED.

Date: June 4, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge